

Appl. No. 10/027,263  
Amdt. dated November 16, 2004  
Reply to Office Action of June 29, 2004

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

1 (currently amended): A tampon adapted to deliver a therapeutic agent, the tampon comprising absorbent material and a formulation including a therapeutic agent, wherein the therapeutic agent is a botanical, wherein the tampon has an outer layer, and wherein the outer layer includes a therapeutically sufficient amount of the botanical.

2 (canceled)

3 (currently amended): The tampon of ~~claim 2~~ claim 1, wherein the outer layer is a cover.

4 (original): The tampon of claim 3, wherein the cover is liquid-permeable.

5 (original): The tampon of claim 4, wherein the liquid-permeable cover is a porous nonwoven sheet.

6 (original): The tampon of claim 5, wherein the porous nonwoven sheet is a spunbond web formed from polypropylene or polyethylene fibers or a mixture thereof.

7 (original): The tampon of claim 6, wherein the botanical is coated on the fibers.

8 (original): The tampon of claim 5, wherein the porous nonwoven sheet is formed from fibers of hydrophobic polymer.

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9 (original): The tampon of claim 8, wherein the botanical is coated on the fibers.

10 (withdrawn): The tampon of claim 2, wherein the outer layer is an outer portion of the absorbent material.

11 (withdrawn): The tampon of claim 1, wherein the botanical is distributed throughout the absorbent material.

12 (currently amended): The tampon of claim 1, wherein the botanical is selected from the group consisting of: *Agnus castus*, aloe vera, comfrey, calendula, dong quai, black cohosh, chamomile, evening primrose, *Hypericum perforatum*, ~~licorice root~~, black currant seed oil, St. John's wort, tea extracts, lemon balm, capsicum, rosemary, *Areca catechu*, mung bean, borage seed oil, witch hazel, fenugreek, lavender, and soy.

13 (withdrawn): The tampon of claim 1, wherein the botanical is a *Vaccinium* extract derived from a plant selected from the group consisting of: heath, cranberries, blueberries, azaleas, red onion skin, short red bell peppers, long red bell peppers, beet root extract, and capsanthin.

14 (withdrawn): The tampon of claim 1, wherein the botanical is selected from the group consisting of: whortleberry, lingenberry, chokeberry, sweet rowan, rowanberry, seabuckhrouberry, crowberry, strawberries, and gooseberries.

15 (withdrawn): The tampon of claim 1, wherein the therapeutic agent is a combination of a botanical and a beneficial agent selected from the group consisting of: vitamins, calcium, magnesium, hormones, analgesics, prostaglandin inhibitors, prostaglandin synthetase inhibitors, leukotriene receptor antagonists, essential fatty acids, sterols, anti-inflammatory agents, vasodilators, chemotherapeutic agents, and agents to treat infertility.

16 (original): The tampon of claim 1, further comprising non-absorbent material.

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17 (withdrawn): The tampon of claim 1, further comprising a reservoir, wherein the therapeutic agent is located substantially within the reservoir.

18 (withdrawn): The tampon of claim 17, wherein the tampon has a surface, and wherein the reservoir is in communication with the surface.

19 (withdrawn): The tampon of claim 17, wherein the tampon has a surface, and wherein the reservoir is located under the surface.

20 (original): The tampon of claim 1, wherein the therapeutic agent is substantially a liquid.

21 (original): The tampon of claim 1, wherein the therapeutic agent is an emulsion.

22 (original): The tampon of claim 1, wherein the therapeutic agent is a powder.

23 (original): The tampon of claim 1, wherein the therapeutic agent is a gel.

24 (original): The tampon of claim 1, wherein the therapeutic agent is an ointment.

25 (original): The tampon of claim 1, wherein the therapeutic agent is a salve.

26 (original): The tampon of claim 1, wherein the therapeutic agent is substantially a solid.

27 (original): The tampon of claim 1, wherein the therapeutic agent is substantially a semi-solid.

28 (original): The tampon of claim 1, wherein the therapeutic agent is encapsulated.

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29 (original): The tampon of claim 1, further comprising an applicator, wherein pressure applied by the applicator to the tampon releases the formulation including the therapeutic agent.

30 (original): The tampon of claim 1, wherein the formulation includes a ligand adapted to target the therapeutic agent.

31 (original): The tampon of claim 1, further comprising a pledget, wherein the formulation including a therapeutic agent is applied to the pledget.

32 (original): The tampon of claim 1, wherein the tampon includes a surface, and wherein the formulation including a therapeutic agent is applied to the surface.

33 (withdrawn): The tampon of claim 1, wherein the tampon includes a compressed body, and wherein the formulation including a therapeutic agent is applied to the body after the body is compressed.

34 (original): The tampon of claim 1, wherein the tampon includes a body constructed from a material, and wherein the formulation including a therapeutic agent is applied to the material before the body is constructed.

35 (currently amended): The ~~device~~ tampon of claim 1, wherein the formulation including a therapeutic agent is applied to degradable fibers.

36 (currently amended): The ~~device~~ tampon of claim 1, wherein the absorbent material has an interstitial space, and wherein the formulation including a therapeutic agent is interspersed within the interstitial space.

37 (withdrawn): The tampon of claim 1, wherein the tampon includes an apertured web, and wherein the formulation including a therapeutic agent is contained in the apertured web.

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38 (original): The tampon of claim 1, wherein the formulation including a therapeutic agent includes a hydrogel material.

39 (original): The tampon of claim 1, wherein the formulation including a therapeutic agent includes a foam component.

40 (original): The tampon of claim 1, wherein the formulation including a therapeutic agent includes a polymeric material.

41 (withdrawn): A tampon adapted to deliver a therapeutic agent, the tampon comprising a body and a formulation including a therapeutic agent, wherein the therapeutic agent is a botanical.

42 – 45 (canceled)

46 (withdrawn): The method of claim 42, wherein the manufacturing act includes compressing the body, and wherein the locating act includes applying the formulation including a therapeutic agent to the body after the body is compressed.

47 (canceled)

48 (withdrawn): The method of claim 42, wherein the manufacturing act includes manufacturing the body to include an apertured web, and wherein the locating act includes containing the formulation including a therapeutic agent in the apertured web.

49 (canceled)

50 (currently amended): A device for delivering a therapeutic agent, the device comprising:  
a tampon body including absorbent material, wherein the tampon body has a surface; and

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means for carrying a formulation including a therapeutic agent within the body, wherein the therapeutic agent is a botanical, and wherein the carrying means is substantially positioned adjacent the surface.

51 (canceled)

52 (withdrawn): The device of claim 50, wherein the body has a reservoir, and wherein the carrying means is substantially positioned within the reservoir.

53 (original): A method of producing a tampon adapted to deliver a therapeutic agent, the method comprising:

treating a porous nonwoven sheet formed from hydrophobic polymer with a formulation including a therapeutic agent, wherein the therapeutic agent is a botanical; and

forming the tampon so as to include absorbent material, such that the sheet at least partially covers the tampon.

54 (currently amended): A method of treating a woman via the vaginal epithelium, the method comprising:

exposing the epithelium to a formulation including a therapeutic agent residing on a tampon, the therapeutic agent including a botanical, wherein the tampon has an outer layer, wherein the outer layer includes a therapeutically sufficient amount of the botanical, and wherein the botanical is selected from the group consisting of *Agnus castus*, aloe vera, comfrey, calendula, ~~deng-quai~~, black cohosh, chamomile, evening primrose, *Hypericum perforatum*, ~~licorice root~~, black currant seed oil, St. John's wort, tea extracts, lemon balm, capsicum, rosemary, *Areca catechu*, mung bean, borage seed oil, witch hazel, fenugreek, lavender, soy, heath, cranberries, blueberries, azaleas, red onion skin, short red bell peppers, long red bell peppers, beet root extract, capsanthin, whortleberry, lingenberry, chokeberry, sweet rowan, rowanberry, seabuckhrouberry, crowberry, strawberries, and gooseberries.

55 (original): The method of claim 54, wherein the exposing act includes a therapeutic agent that is a combination of a botanical and a beneficial agent selected from the group consisting of:

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vitamins, calcium, magnesium, hormones, analgesics, prostaglandin inhibitors, prostaglandin synthetase inhibitors, leukotriene receptor antagonists, essential fatty acids, sterols, anti-inflammatory agents, vasodilators, chemotherapeutic agents, and agents to treat infertility.

56 (new): A tampon adapted to deliver a therapeutic agent, the tampon comprising absorbent material and a formulation including a therapeutic agent, wherein the therapeutic agent is a botanical, wherein the tampon has an outer layer, and wherein the therapeutic agent is positioned essentially within the outer layer.